

Part XV. Plan Maintenance and Implementation

Monitoring, Evaluating and Updating the Plan

Periodic monitoring and updates of this Plan are required to ensure that the goals and objectives for the Region are kept current and that local mitigation strategies are being carried out. This Plan has been designed to be user-friendly in terms of maintenance and implementation. This portion of the Plan outlines the procedures for completing such revisions and updates. The Plan will also be revised to reflect lessons learned or to address specific hazard incidents arising out of a disaster.

Annual Review Procedures

County jurisdictions will be responsible to annually review the mitigation strategies described in this Plan, as required by the Utah Division of Homeland Security (DHLS), or as situations dictate such as following a disaster declaration. The process will include the county organizing a Mitigation Planning committee comprised of individuals from organizations responsible to implement the described mitigation strategies. Progress toward the completion of the strategies will be assessed and revised as warranted. Each county emergency manager will regularly monitor the Plan and is responsible to make revisions and updates.

WFRC would like to have the ability to annually apply for funding from DHLS to participate in the Plan update and maintenance process with the Counties. If the participating jurisdictions or DHLS determines that a modification of the Plan is warranted, an amendment to the Plan may be initiated.

Five Year Plan Review

The entire Plan including any background studies and analysis shall be revised and updated every five years by the participating jurisdictions to determine if there have been any significant changes in the region that would affect the Plan. Increased development, increased exposure to certain hazards, the development of new mitigation capabilities or techniques and changes to Federal or State legislation are examples of changes that may affect the condition of the Plan.

The Natural Hazard Pre-Disaster Mitigation Planning Committees and Local Working Groups, with a potential membership representing every jurisdiction in the WFRC Region, will be reconstituted for the five year review/update process. Typically, the same process that was used to create the original Plan will be used to prepare the update.

If the participating jurisdictions or DHLS determine that the recommendations warrant modification to the Plan, an amendment may be initiated as described below.

Plan Amendments

The Utah DHLS State Hazard Mitigation Officer, Local Mitigation Committee, or Mayor/City Manager of an affected community, will initiate amendments and updates to the Plan.

Upon initiation of an amendment to the Plan, DHLS will forward information on the proposed amendment to all interested parties including, but not limited to, all affected city or county departments, residents and businesses. Depending on the magnitude of the amendment, the full planning committee may be reconstituted.

At a minimum, the information will be made available through public notice in a newspaper of general circulation or on the DHLS website at <http://homelandsecurity.utah.gov>. The review and comment period for the proposed Plan amendment will last for not less than forty-five (45) days.

At the end of the comment period, the proposed amendment and all review comments will be forwarded to participating jurisdictions for consideration. If no comments are received from the reviewing parties within the specified review period, such will be noted accordingly. DHLS will review the proposed amendment along with comments received from other parties and submit a recommendation to FEMA within sixty (60) days.

In determining whether to recommend approval or denial of a Plan amendment request, the following factors will be considered:

1. There are errors or omissions made in the identification of issues or needs during the preparation of the Plan; and/or
2. New issues or needs have been identified which were not adequately addressed in the Plan; and/or
3. There has been a change in information, data or assumptions from those on which the Plan was based.
4. The nature or magnitude of risks has changed.
5. There are implementation problems, such as technical, political, legal or coordination issues with other agencies.

Upon receiving the recommendation of DHLS, a public hearing will be held. DHLS will review the recommendation (including the factors listed above) and any oral or written comments received at the public hearing. Following that review, DHLS will take one of the following actions:

1. Adopt the proposed amendment as presented.
2. Adopt the proposed amendment with modifications.
3. Defer the amendment request for further consideration and/or hearing.
4. Reject the amendment request.

Implementation through Existing Programs

Once the Plan is promulgated, participating cities and counties will be able to include this Plan's information in existing programs and plans. These could include the General or Master Plan, Capital Improvements Plan, Emergency Operations Plan, State Mitigation Plan, City Mitigation Plans. Many of the mitigation actions developed by the cities and counties have elements of mitigation implementation including the National Flood Insurance Program (NFIP), the Utah Wildland-Urban Interface Code, the Building Code Effectiveness Grading System (BCEGS), and Community Rating System (CRS), all of which have been implemented.

Process

It will be the responsibility of Mayor/Council/Commissioner(s) of each jurisdiction, as he/she/they see fit, to ensure these actions are carried out no later than the target dates unless reasonable circumstances prevent their implementation (i.e. lack of funding availability).

Funding Sources

Although all mitigation techniques will likely save money by avoiding losses, many projects are costly to implement. The WFRC jurisdictions shall continue to seek outside funding assistance for mitigation projects in both the pre- and post-disaster environment. This portion of the Plan identifies the primary Federal and State grant programs for WFRC jurisdictions to consider, and also briefly discusses local and non-governmental funding sources.

Federal Programs

The following federal grant programs have been identified as funding sources which specifically target hazard mitigation projects:

Title: Pre-Disaster Mitigation Program

Agency: Federal Emergency Management Agency

Through the Disaster Mitigation Act of 2000, Congress approved the creation of a national program to provide a funding mechanism that is not dependent on a Presidential Disaster Declaration. The Pre-Disaster Mitigation (PDM) program provides funding to states and communities for cost-effective hazard mitigation activities that complement a comprehensive mitigation program and reduce injuries, loss of life, and damage and destruction of property.

The funding is based upon a 75% Federal share and 25% non-Federal share. The non-Federal match can be fully in-kind or cash, or a combination. Special accommodations will be made for "small and impoverished communities", who will be eligible for 90% Federal share/10% non-Federal. FEMA provides PDM grants to states that, in turn, can provide sub-grants to local governments for accomplishing the following eligible mitigation activities:

- State and local Natural Hazard Pre-Disaster Mitigation Planning
- Technical assistance (e.g. risk assessments, project development)
- Mitigation Projects
- Acquisition or relocation of vulnerable properties
- Hazard retrofits
- Minor structural hazard control or protection projects
- Community outreach and education (up to 10% of State allocation)

Title: Flood Mitigation Assistance Program
Agency: Federal Emergency Management Agency

FEMA's Flood Mitigation Assistance program (FMA) provides funding to assist states and communities in implementing measures to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes and other structures insurable under the National Flood Insurance Program (NFIP). FMA was created as part of the National Flood Insurance Reform Act of 1994 (42 USC 4101) with the goal of reducing or eliminating claims under the NFIP.

FMA is a pre-disaster grant program, and is available to states on an annual basis. This funding is available for mitigation planning and implementation of mitigation measures only, and is based upon a 75% Federal share/25% non-Federal share. States administer the FMA program and are responsible for selecting projects for funding from the applications submitted by all communities within the state. The state then forwards selected applications to FEMA for an eligibility determination. Although individuals cannot apply directly for FMA funds, their local government may submit an application on their behalf.

Title: Hazard Mitigation Grant Program
Agency: Federal Emergency Management Agency

The Hazard Mitigation Grant Program (HMGP) was created in November 1988 through Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The HMGP assists states and local communities in implementing long-term mitigation measures following a Presidential disaster declaration.

To meet these objectives, FEMA can fund up to 75% of the eligible costs of each project. The state or local cost-share match does not need to be cash; in-kind services or materials may also be used. With the passage of the Hazard Mitigation and Relocation Assistance Act of 1993, federal funding under the HMGP is now based on 15% of the federal funds spent on the Public and Individual Assistance programs (minus administrative expenses) for each disaster.

The HMGP can be used to fund projects to protect either public or private property, so long as the projects in question fit within the state and local governments overall mitigation strategy for the disaster area, and comply with program guidelines. Examples of projects that may be funded include the acquisition or relocation of structures from hazard-prone areas, the retrofitting of existing structures to protect them from future damages; and the development of state or local standards designed to protect buildings from future damages.

Eligibility for funding under the HMGP is limited to state and local governments, certain private nonprofit organizations or institutions that serve a public function, Indian tribes and authorized tribal organizations. These organizations must apply for HMGP project funding on behalf of their citizens. In turn, applicants must work through their state, since the state is responsible for setting priorities for funding and administering the program.

Title: Public Assistance (Infrastructure) Program, Section 406

Agency: Federal Emergency Management Agency

FEMA's Public Assistance Program, through Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provides funding to local governments following a Presidential Disaster Declaration for mitigation measures in conjunction with the repair of damaged public facilities and infrastructure.

The mitigation measures must be related to eligible disaster related damages and must directly reduce the potential for future, similar disaster damages to the eligible facility. These opportunities usually present themselves during the repair/replacement efforts.

Proposed projects must be approved by FEMA prior to funding. They will be evaluated for cost effectiveness, technical feasibility and compliance with statutory, regulatory and executive order requirements. In addition, the evaluation must ensure that the mitigation measures do not negatively impact a facility's operation or risk from another hazard.

Public facilities are operated by state and local governments, Indian tribes or authorized tribal organizations and include:

- Roads, bridges & culverts
- Draining & irrigation channels
- Schools, city halls & other buildings
- Water, power & sanitary systems
- Airports & parks

Private nonprofit organizations are groups that own or operate facilities that provide services otherwise performed by a government agency and include, but are not limited to the following:

- Universities and other schools
- Hospitals & clinics
- Volunteer fire & ambulance
- Power cooperatives & other utilities
- Custodial care & retirement facilities
- Museums & community centers

Title: Small Business Administration (SBA) Disaster Assistance Program

Agency: U.S. SBA

The SBA Disaster Assistance Program provides low-interest loans to businesses following a Presidential disaster declaration. The loans target businesses to repair or replace uninsured disaster damages to property owned by the business, including real estate, machinery and equipment, inventory and supplies. Businesses of any size are eligible, along with non-profit organizations.

SBA loans can be utilized by their recipients to incorporate mitigation techniques into the repair and restoration of their business.

Title: Community Development Block Grants

Agency: US Department of Housing and Urban Development

The Community Development Block Grant (CDBG) program provides grants to local governments for community and economic development projects that primarily benefit low- and moderate-income people. The CDBG program also provides grants for post-disaster hazard mitigation and recovery following a Presidential disaster declaration.

Funds can be used for activities such as acquisition, rehabilitation or reconstruction of damaged properties and facilities and for the redevelopment of disaster areas.

State Programs

Local

Local governments depend upon local property taxes as their primary source of revenue. These taxes are typically used to finance services that must be available and delivered on a routine and regular basis to the general public. If local budgets allow, these funds are used to match Federal or State grant programs when required for large-scale projects.

Non-Governmental

Another potential source of revenue for implementing local mitigation projects are monetary contributions from non-governmental organizations, such as private sector companies, churches, charities, community relief funds, the American Red Cross, hospitals, land trusts and other non-profit organizations.

Paramount to having a Plan deemed to be valid is its implementation. There is currently no new fiscal note attached to the implementation of this Plan.

Continued Public Involvement

Throughout the planning process, public involvement has been and will be critical to the development of the Plan and its updates. The Plan will be available on the WFRC and Utah DHLS website's to provide opportunities for public participation and comment. The Plan will also be available for review at the offices of the Wasatch Front Regional Council.

The Wasatch Front Regional Council has been designated as the lead agency in preparing and submitting the Wasatch Front Natural Hazards Pre-Disaster Mitigation Plan, which includes coverage for all incorporated cities and counties within the five county region, i.e. Davis, Morgan, Salt Lake, Tooele, and Weber Counties. The strategy of the Association of Governments in preparing the Plan is to use available resources and manpower in the most efficient and cost effective manner to allow our cities and counties continued access to data, technical planning assistance and FEMA eligibility. In addition, the AOG will reach out to non-profits, public agencies, special needs organizations, groups and individuals in allowing them input and access to the Plan. With limited resources, however, it becomes difficult to both identify and to individually contact the broad range of potential clients that may stand to benefit from the Plan. This being the case, we have established the following course of action:

STEP 1. The AOG will publicly advertise all hearings, requests for input and meetings directly related to the Natural Hazard Pre-Disaster Mitigation Planning process. Meetings of the Wasatch Front Regional Council where Plan items are discussed and where actions are taken will not receive special notifications as they are already advertised according to set standards. All interested parties are welcome and invited to attend such meetings and hearings, as they are public and open to all.

Advertisement will be done according to the pattern set in previous years, i.e. the AOG will advertise each hearing and request for input at least seven days (7) in advance of the activity and will publish notices of the event in the Salt Lake Tribune and/ or Deseret News. The notices will advertise both the hearing and the means of providing input outside the hearing if an interested person is unable to attend.

STEP 2. The AOG has established a mailing list of many local agencies and individuals that may have an interest in the Natural Hazard Pre-Disaster Mitigation Plan. Each identified agency or person will be mailed a notice of the hearings and open houses.

STEP 3. Comments, both oral and written, will be solicited and accepted from any interested party. Comments, as far as possible, will be included in the final draft of the Plan; however, the AOG reserves the right to limit comments that are excessively long due to the size of the Plan.

STEP 4. Specific to risk assessment and hazard mitigation, needs analysis, and capital investment strategies, the AOG will make initial contact and solicitation for input from each incorporated jurisdiction within the region. All input is voluntary. Staff time and resources do not allow personal contact with other agencies or groups, however, comments and strategies are welcomed as input to the planning process from any party via regular mail, FAX, e-mail, phone call, etc. In addition, every public jurisdiction advertises and conducts public hearings on their planning, budget, etc. where most of these mitigation projects are initiated. Input can be received from these prime sources by the region as well.

STEP 5. The following policies will guide AOG staff in making access and input to the Natural Hazard Pre-Disaster Mitigation Plan as open and convenient as possible:

A. Participation

All citizens of the region are encouraged to participate in the planning process, especially those who may reside within identified hazard areas. The AOG will take whatever actions possible to accommodate special needs of individuals including the impaired, non-English speaking, persons of limited mobility, etc.

B. Access to Meetings

Adequate and timely notification to all area residents will be given as outlined above to all hearings, forums, and meetings.

C. Access to Information

Citizens, public jurisdictions, agencies and other interested parties will have the opportunity to receive information and submit comments on any aspect of the Natural Hazards Pre-Disaster Mitigation Plan, and/or any other documents prepared for distribution by the AOGs that may be adopted as part of the Plan by reference. The AOG may charge a nominal fee for printing of documents that are longer than three pages.

D. Technical Assistance

Residents as well as local jurisdictions may request assistance in accessing the program and interpretation of mitigation projects. AOG staff will assist to the extent practical, however, limited staff time and resources may prohibit staff from giving all the assistance requested. The AOG will be the sole determiner of the amount of assistance given all requests.

E. Public Hearings

The AOG will plan and conduct public hearings according to the following priorities:

1. Hearings will be conveniently timed for people who might benefit most from mitigation programs.
2. Hearings will be accessible to people with disabilities (accommodations must be requested in advance according to previously established policy).
3. Hearings will be adequately publicized. Hearings may be held for a number of purposes or functions including to: Identify and profile hazards, Develop mitigation strategies, and Review Plan goals, performance and future Plans.

F. Future Revisions:

Future revisions of the Plan shall include:

1. Expanded vulnerability assessments to include flood and dam failure inundation.
2. Continue the search for more specific mitigation actions.
3. An analysis of progress of the Plan as it is revised.
4. Expanded look into how the identified natural hazards will affect certain populations including the young and elderly.